

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Paul T. Jacobs et al.

Serial No. : Art Unit:

Filed : Examiner:

For : APPARATUS AND PROCESS FOR CONCENTRATING A LIQUID
STERILANT AND STERILIZING ARTICLES THEREWITH

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

Applicant(s) reserve(s) the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

In accordance with §1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified national application (other than a continued prosecution application under

\$1.53(d)), within three months of the date of entry into the national stage of the above identified application as set forth in §1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of a request for continued examination under §1.114, no additional fee is required.

In accordance with §1.129(a), this Information Disclosure Statement is being filed in connection with the first or second After Final Submission, therefore:

- Statement in Accordance with §1.97(e)
(attached); or
- Please charge Deposit Account No. 10-
0750/ / the fee of \$180.00 as set forth
in §1.17(p).

In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, or an action that otherwise closes prosecution and that it is accompanied by one of:

- Statement in Accordance with §1.97(e)
(attached); or
- Please charge Deposit Account No. 10-
0750/ / the fee of \$180.00 as set forth
in §1.17(p).

In accordance with §1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311 but before the payment of the Issue Fee. Applicant(s) hereby petition(s) for consideration of this Information Disclosure Statement. Included are: Statement in

Accordance with §1.97(e) as set forth below and the fee of \$180.00 as set forth in §1.17(p).

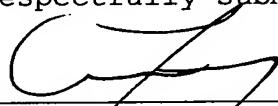
- Copies of each of the references listed on the attached Form PTO-1449 are enclosed herewith.
- Copies of references listed on the attached Form PTO-1449 are enclosed herewith EXCEPT THAT:
 - In view of the voluminous nature of references [list as appropriate], and the likelihood that these references are available to the Examiner, copies are not enclosed herewith.
 - If any of the foregoing publications are not available to the Examiner, Applicant will endeavor to supply copies at the Examiner's request.
- Copies of only foreign patent documents and non-patent literature are enclosed in accordance with 37 CFR 1.98 (a)(2). (The U.S. patents and each U.S. patent application publication listed on the attached Form PTO-1449 are not enclosed because this U.S. patent application was filed after June 30, 2003 or this international application has entered the national stage under 35 USC §371 after June 30, 2003 (see USPTO waiver of requirement under 37 CFR 1.98 (a)(2)(i)).
- There are no listed references which are not in the English language.
- The relevance of those listed references which are not in the English language is as follows:

Attached are copies of search report(s) from corresponding patent application(s), which are listed on the attached Submission Under MPEP 609 D.

Attached are the following non-published pending patent applications which may be deemed relevant, which are listed on the attached Submission Under MPEP 609 D.

Please charge any deficiency or credit any overpayment to Deposit Account No. 10-0750/JJM-408CON1/ACF. This form is submitted in triplicate.

Respectfully submitted,



Andrew C. Farmer
Reg. No. 35,868
Attorney for Applicants

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DATED: 1-24-04

SUBMISSION UNDER MPEP 609 D

Page 1 of 1

<i>Application Number</i>	
<i>Filing Date</i>	
<i>First Named Inventor</i>	Paul T. Jacobs
<i>Group Art Unit</i>	
<i>Examiner Name</i>	
<i>Attorney Docket Number</i>	JJM-408 CON1

U.S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

Examiner 's Initials*	Cite No. ¹	Include name of the author (in CAPITOL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ²
		European Search Report 99 96 8969, dated May 15, 2003	
		European Search Report EP 00 31 1545 dated 03-06-2003	
		European Search Report EP 97 30 2305 dated 07-25-1997	
		PCT International Search Report No. PCT/US99/31100 dated April 10, 2000	
		U.S. Patent Application Serial No. 10/403,140 (Docket JJJM 408 CIP2) filed 3/31/2003	
		U.S. Patent Application Serial No. 10/403,217 (Docket ASP 66 CIP) filed 3/31/2003	
		U.S. Patent Application Serial No. 10/403,450 (Docket ASP 66 CIP1) filed 3/31/2003	
		U.S. Patent Application Serial No. 10/284,987 (Docket ASP-75) filed 10/31/2002	
		U.S. Patent Application Serial No. 10/261,282 (Docket ASP-71) filed 09/30/2002	

Examiner Signature		Date Considered	
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 5

Application Number

Filing Date

First Named Inventor

Paul T. Jacobs

Group Art Unit

Examiner Name

Attorney Docket Number

JJM-408 CON1

U.S. PATENT DOCUMENTS

Examiner Initials	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear
		Number	Kind Code ² (if known)			
		4,102,055		Volk, Jr.	07/25/1978	
		4,169,123		Moore et al.	09/25/1979	
		4,169,124		Forstrom et al.	09/25/1979	
		4,230,663		Forstrom et al.	10/28/1980	
		4,337,223		Kaye	06/29/1982	
		4,410,492		Kaye	10/18/1983	
		4,512,951		Koubek	04/23/1985	
		4,642,165		Bier	02/10/1987	
		4,643,876		Jacobs et al.	02/17/1987	
		4,744,951		Cummings et al.	05/17/1998	
		4,756,882		Jacobs et al.	07/12/1988	
		4,797,255		Hatanaka et al.	01/10/1989	

FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear	T ⁶
		Office ³	Number ⁴	KindCode ⁵				
		CA	2,149,923	A	Mit internationalem Recherchenbericht	11/24/1992		
		EP	0 799 621	A1	Addy et al.	10/08/1997		
		DE	41 02 055	A	Olympus Optical Co., Ltd.	01/26/1990		
		DT	26 23 917	A	Gleich Anmelder	12/15/1977		
		EP	0 898 971	A	Ethicon, Inc.	03/03/1999		
		EP	0 923 951	A	Ethicon, Inc.	06/23/1999		
		EP	0 302 420	A	Surgikos, Inc.	02/08/1989		
		EP	1 110 559	A	L'Air Liquide	06/27/2001		

Examiner Signature	Date Considered
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Application Number	
Filing Date	
First Named Inventor	Paul T. Jacobs
Group Art Unit	
Examiner Name	
Attorney Docket Number	JJM-408 CON1

U.S. PATENT DOCUMENTS

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		Number	Kind Code ² (if known)			
		4,817,800		Williams et al.	04/4/1989	
		4,899,519		Williams et al.	02/13/1990	
		4,909,999		Cummings et al.	03/20/1990	
		4,943,414		Jacobs et al.	07/24/1990	
		4,952,370		Cummings et al.	08/28/1990	
		4,956,145		Cummings et al.	09/11/1990	
		5,087,418		Jacob	02/11/1992	
		5,115,166		Campbell et al.	05/19/1992	
		5,286,448		Childers	02/15/1994	
		5,310,524		Campbell et al.	05/10/1994	
		5,346,075		Nichols et al.	09/13/1994	
		5,389,336		Childers et al.	02/14/1995	

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		Office ³	Number ⁴	KindCode ⁵				
		EP	0 302 419	B	Johnson & Johnson Medical, Inc.	02/08/1989		
		EP	916937	A2	Ethicon, Inc.	05/19/1999		
		EP	0 456 135	A	Abtox, Inc.	11/13/1991		
		EP	0 302 419	A	Surgikos, Inc.	02/08/1989		
		EP	0 302 419	B1	Johnson & Johnson Medical, Inc.	09/23/1992		
		EP	0 223 479	A	Minnesota Mining and Manufacturing Co.	05/27/1987		

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet 3 of 5

Application Number**Filing Date****First Named Inventor**

Paul T. Jacobs

Group Art Unit**Examiner Name****Attorney Docket Number**

JJM-408 CON1

U.S. PATENT DOCUMENTS

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		Number	Kind Code ² (if known)			
		5,413,758		Caputo et al.	05/09/1995	
		5,413,750		Campbell et al.	05/09/1995	
		5,425,815		Parker et al.	06/20/1995	
		5,443,801		Langford	08/22/1995	
		5,451,368		Jacob	09/19/1995	
		5,492,672		Childers et al.	02/20/1996	
		5,527,508		Childers et al.	06/18/1996	
		5,534,221		Hillebrenner et al.	07/09/1996	
		5,552,115		Malchesky	09/03/1996	
		5,556,607		Childers et al.	09/17/1996	
		5,558,841		Nakagawa et al.	09/24/1996	
		5,570,739		Krawchuk et al.	11/05/1996	
		5,580,530		Kowatsch et al.	12/03/1996	
		5,600,142		Van Den Berg et al.	02/04/1997	

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		Office ³	Number ⁴	KindCode ⁵				
		EP	0 207 417	B	Surgikos, Inc.	01/07/1987		
		WO	94/12090	A	Mit internationalem Recherchenbericht	11/24/1992		
		WO	99 27971	A	Seikagaku Corp.	06/10/1999		

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet 4 of 5

*Application Number**Filing Date**First Name & Inventor*

Paul T. Jacobs

*Group Art Unit**Examiner Name**Attorney Docket Number*

JJM-408 CON1

U.S. PATENT DOCUMENTS

Examiner Initials	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear
		Number	Kind Code ² (if known)			
		5,633,424		Graves et al.	05/27/1997	
		5,656,238		Spencer et al.	08/12/1997	
		5,667,753		Jacobs et al.	09/16/1997	
		5,674,450		Lin et al.	10/07/1997	
		5,711,921		Langford	01/27/1998	
		5,714,119		Kawagoe et al.	02/03/1998	
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		5,804,139		Lin et al.	09/08/1998	
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet 5 of 5

*Application Number**Filing Date**First Named Inventor*

Paul T. Jacobs

*Group Art Unit**Examiner Name**Attorney Docket Number*

JJM-408 CON1

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		Number	Kind Code ² (if known)			
		6,010,662		Lin et al.	01/04/2000	
		6,013,227		Lin et al.	01/11/2000	
		6,015,529		Lin et al.	01/18/2000	
		6,030,579		Addy et al.	02/29/2000	
		6,036,918-A		Kowanko	03/14/2000	
		6,039,922		Swank et al.	03/21/2000	
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		6,325,972	B1	Jacobs et al.	12/04/2001	
		6,451,254		Wang et al.	09/17/2002	
		6,495,100	B1	Lin et al.	12/17/2002	
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		6,627,150	B1	Wang et al.	09/30/2003	
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		6,656,427	B2	Lin et al.	12/02/2003	
		2003/0012402A1		Ono	01/16/2003	
		2004/0001774	A1	Williams et al.	01/01/2004	

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